

US EPA ARCHIVE DOCUMENT



Corporation For Economic Development
City Of Bridgeport

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July 17, 2012

Ms. Lisa Jackson
Administrator of USEPA
USEPA Headquarters
12000 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, DC 20460

RE: ATTENTION DOCKET ID NO. EPA-HQ_OAR-2008-0476.

**RESOLUTION OPPOSITION WITH REQUEST FOR RECONSIDERATION AND
CALL FOR CONGRESSIONAL INTERVENTION IN THE MATTER OF WISE
COUNTY, TEXAS BEING DESIGNATED AS MEMBER OF DALLAS-FORT
WORTH (DFW) AREA NAAQS 2012 EIGHT HOUR OZONE NONATTAINMENT
AREA.**

Director Jackson:

On behalf of The Corporation For Economic Development of the City of Bridgeport, Texas (Bridgeport EDC) in Wise County please accept this letter with attached Bridgeport EDC Resolution 2012-02EDC as official notice of request for re-review and reconsideration of your Conclusion Decision to add Wise County to the DFW Area nonattainment designation. After reviewing the EPA letters and information assembled by 3rd parties, it is clear there was insufficient EPA analysis of facts and scientific and technical data. In lieu of a formal EPA study and review, many incorrect and unrealistic assumptions have been relied upon to “support” the EPA’s Conclusion Decision.

On multiple occasions beginning as early as October 2011, the Texas Commission on Environmental Quality (TCEQ), Wise County, and many concerned citizens of Wise County submitted reports, data, and/or comments to the EPA affirming the EPA’s original conclusions are not sufficiently supported by scientific facts and data. Many analytical methods were not consistent with the actual environment that makes up Wise County. For these reasons, the Bridgeport Economic Development Corporation believes Wise County citizens and businesses deserve reversal of the EPA’s Conclusion Decision followed by Wise County based study and review to assure that Wise County remains in compliance.

Your time and consideration of this request is greatly appreciated.

Respectfully,

William Myers, Executive Director
Bridgeport Economic Development Corporation
Bridgeport, Wise County, Texas

Cc: List Attached

EPA Officials

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Keith McComis, Mayor
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**THE CORPORATION FOR ECONOMIC DEVELOPMENT
OF THE CITY OF BRIDGEPORT,
WISE COUNTY, TEXAS**

RESOLUTION NO. 2012-02EDC

**RESOLUTION IN OPPOSITION OF THE CONCLUSION
BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA)
TO DESIGNATE WISE COUNTY, TEXAS AS AN ADDITION TO THE
DALLAS-FORT WORTH AREA NAAQS 2012 EIGHT-HOUR OZONE
NONATTAINMENT AREA**

In the matter of the United States Environmental Protection Agency (EPA) Responses to State and Tribal 2008 Ozone Designation Recommendations and its conjunctive conclusive decisions made from the EPA final "2012 Spring Review" of said 2008 Ozone Designation Recommendations in regards to ATTENTION DOCKET ID NO. EPA-HQ-OAR-2008-0476, the Corporation for Economic Development of the City of Bridgeport, Texas (Bridgeport EDC) in Bridgeport, Wise County, Texas, respectfully submits this vigorous Resolution of Protest to the EPA and associated Administrative Officials, along with a Call for warranted United States Congressional Intervention of the EPA 2012 designation of inclusion of Wise County, Texas into the Dallas-Fort Worth Area (DFW) Nonattainment Regional Area.

With this Resolution of Protest, the Bridgeport EDC requests a full re-review by the EPA of the Technical Analysis Support Documentation and other associated Scientific Facts as were duly and timely submitted during the called EPA Comment Periods, by both Wise County and the Texas Commission on Environmental Quality (TCEQ).

Thus, the basis of this Resolution with call for review is formulated on justification of the previous actions and is so cited as being as follows:

WHEREAS, On or about May 1, 2012, the Environmental Protection Agency (EPA) announced that Wise County, Texas, is to be designated as an addition to the

present nine (9) county Dallas-Fort Worth (DFW) Area list of designated nonattainment of the 2008 eight-hour ozone standard; and

WHEREAS, On October 31, 2011, the Texas Commission on Environmental Quality (TCEQ) recommended to the appropriate EPA departments and officials, with supporting technical documentation, as to why Wise County should *not* be designated as part of the DFW non-attainment area; and

WHEREAS, From October 2011 through February 2012 and during the EPA's designated public comment period, Wise County and the TCEQ presented the EPA with additional support documentation which clearly demonstrates that the EPA's assessment of its own emission and meteorological factors (*EPA's Factor 2: Emissions and Emissions-Related Data*) were either ignored, incorrect, and/or did not include revised TCEQ scientific and monitoring data, including TCEQ report revisions related to the oil and gas sector pneumatic emissions for the Periodic Emissions Inventory; and

WHEREAS, According to EPA data, Wise County's minute 2010 population was 59,127, (or only approximately 0.95% of the current nine county DFW non-attainment population of approximately 6.2 million) and Wise County's 2008 vehicles miles traveled (VMT) of 969 million miles compared to the DFW area's 61,900 million (61.9 Billion) VMT reasons that it would be highly unexpected that VMT emissions for Wise County would have any significant contribution to DFW ozone-formation; and

WHEREAS, Data from the *EPA's Factor 3: Meteorology (weather/transport patterns for the DFW Area)*, clearly shows that prevailing winds are from the east and southeast, meaning that Wise County is usually downwind of the DFW urban plume and unlikely to contribute to high ozone values (There are currently no ozone monitors located within Wise County) and given the DFW area's large population, automobile fleet, and variety of industry, the DFW area produces enough emissions on its own to result in a high ozone day – **without the contributions of any of Wise County's factor numbers of population, VMT, and oil and gas activities**; and

WHEREAS, under the TCEQ's Supplemental Analysis on *Factors 2; Emissions and Emissions Related Data* and *Factor 3: Meteorology (weather/transport patterns)* for the DFW area, the TCEQ utilized an additional modeling tool, Comprehensive Air Quality Model with extensions (CAMx) Anthropogenic Precursor Culpability Assessment (APCA) as additional complementary information to the meteorology and emissions factors. The EPA did not use the updated oil and gas sector pneumatic emissions being submitted by the TCEQ in October 2011 to the EPA for Periodic Emissions Inventory from scientific and technical modeling and source apportionment analysis as provided, **and therefore the VOC emissions as calculated by the stated resources/analysis methods are most likely overestimated in the modeling**; and

WHEREAS, the Bridgeport EDC has concluded from all the noted information and reports, Wise County government analysis, 3rd party analysis, along with the stated comments and conclusions as contained herein, that the EPA has not provided the citizens and businesses of Wise County a sufficient and accurate review of the evidence and data, as submitted by Wise County and the TCEQ, to support its conclusive decision to add Wise County to the designated nonattainment area of DFW Region, and

therefore has denied, with prejudice, a lawful offer or opportunity to interact and work together with Wise County's local government officials, the State of Texas TCEQ, industry leaders, Economic Development Boards, Chambers of Commerce, and other stakeholders of Wise County in regards to EPA's air quality monitoring / decision making process, nor has EPA directly shared its specific data and justification leading to said Conclusion to place Wise County in the nonattainment region with no rebuttal process; and,

WHEREAS, the Bridgeport EDC fully agrees with and supports Wise County Judge Bill McElhaney's previous comments to the EPA, including scientific and technical data, other pertinent information, and the June 15, 2012, Resolution of the Wise County Commissioners Court respectfully requesting re-consideration of the EPA 2012 designation of inclusion of Wise County, Texas into the Dallas-Fort Worth Area (DFW) Nonattainment Regional Area; and

WHEREAS, a nonattainment designation will impose unwarranted operational costs and procedures resulting in significant economic ramifications on Bridgeport citizens, Bridgeport businesses/industries, and Wise County in general, and it is clear that EPA lacks sufficient scientific data to justify this Conclusion decision in regards to Wise County's inclusion designation;

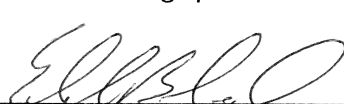
NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BRIDGEPORT EDC OF BRIDGEPORT, WISE COUNTY, TEXAS:

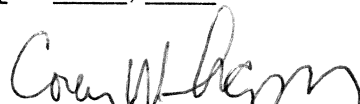
- Section 1.** The Bridgeport EDC strongly and respectfully requests that the EPA Director and other Congressional Officials remove Wise County from its Conclusion list of designated nonattainment Counties within the DFW Area immediately, being for those reasons and associated justification so stated within this Resolution.
- Section 2.** The Bridgeport EDC recognizes the benefits of Wise County governments and leadership working with the Texas Commission on Environmental Quality (TCEQ) to develop and implement plans, policies, programs and projects in order to continue to improve the air quality in the Dallas-Fort Worth Metropolitan Area and to comply with EPA regulations.
- Section 3.** The Bridgeport EDC affirms its full support for City of Bridgeport and Wise County government to work with the TCEQ and EPA in apprising and determining true present and future statuses of air quality in Wise County, Texas.
- Section 4.** This resolution will also be transmitted to the TCEQ Commissioners, the Governor of the State of Texas, the North Central Texas Council of Governments, other Entities and

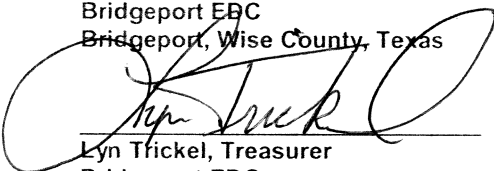
concerned stakeholders of Wise County; and all of Wise County's Honorable Federal and State Legislative Representatives.

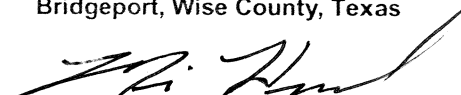
Section 5. This resolution was voted upon and unanimously approved by the Board of Directors of the Bridgeport EDC to be in effect immediately upon its adoption; said Directors being: Eddie Bland, Corey Ingram, Mary Williams, Lyn Trickel and Mike Hurd.

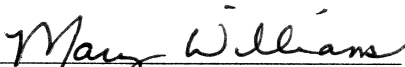
I, the undersigned, do hereby certify that this **ORDER** was resolved and adopted by the attending Bridgeport EDC Directors, so named hereinabove, and, thus **PASSED AND APPROVED** in a Bridgeport EDC Meeting this **19th day of June, 2012**.


By: 
Eddie Bland, President
Bridgeport EDC
Bridgeport, Wise County, Texas

By: 
Corey Ingram, Vice President
Bridgeport EDC
Bridgeport, Wise County, Texas

By: 
Lyn Trickel, Treasurer
Bridgeport EDC
Bridgeport, Wise County, Texas

By: 
Mike Hurd, Secretary
Bridgeport EDC
Bridgeport, Wise County, Texas

By: 
Mary Williams, Assistant Secretary
Bridgeport EDC
Bridgeport, Wise County, Texas

By: 
William Myers, Executive Director
Bridgeport EDC
Bridgeport, Wise County, Texas